

## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

FRANKLYN AJAYA

Plaintiff(s)

AIR NEW ZELAND, LTD

v.

Defendant(s)

CASE NUMBER:

CV075911JSW

**PROOF OF SERVICE  
SUMMONS AND COMPLAINT**

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action a **I served** copies of the *(specify documents)*:  
**SUMMONS IN A CIVIL CASE; CLASS ACTION COMPLAINT FOR DAMAGES; DEMAND FOR JURY TRIAL; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; CIVIL STANDING ORDER; CONTENTS OF JOINT CASE MANAGEMENT STATEMENT; ECF REGISTRATION INFORMATION HANDOUT;**
2. **Person served:**
  - a. ☐ Defendant *(name)*: **WALTER RINALDO MARIANI as Registered Agent for QANTAS AIRWAYS, LTD.**
  - b. ☒ Other *(specify name and title or relationship to the party/business named)*:  
**Veronica Carter PERSON IN CHARGE, A black female approx. 35-40 years of age 5'4"-5'6" in height weighing 120-140 lbs with brown hair**
  - c. ☒ Address where papers were served: **6080 CENTER DR #400 LOS ANGELES, CA 90045**
3. **Manner of Service** in compliance with *(the appropriate box must be checked)*:
  - a. ☒ Federal Rules of Civil Procedure
  - b. ☐ California Code of Civil Procedure
4. **I served** the person named in Item 2:
  - a. ☐ By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and the minor if at least twelve (12) years of age.
    1. **Papers were served on** *(date)*: \_\_\_\_\_ *at (time)*: \_\_\_\_\_
  - b. ☒ By **Substituted service**. By leaving copies:
    1. ☐ **(home)** at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
    2. ☐ **(business)** or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
    3. ☒ **Papers were served on** *(date)*: **Dec 3 2007** *at (time)*: **10:30:00 AM**
    4. ☐ **by mailing** *(by first-class mail, postage prepaid)* copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
    5. ☐ **papers were mailed on** *(date)*: \_\_\_\_\_
    6. ☐ **due diligence**. I made at least (3) attempts to personally serve the defendant.



- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h))(C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment of by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid,*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): \_\_\_\_\_ at (time): \_\_\_\_\_
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washing, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (*name, address and telephone number*):

**Miguel Molina**

**241 S. FIGUEROA STREET, SUITE 370, LOS ANGELES, CA 90012**

**213-621-9999**

*5414 Los Angeles*

a. Fee for service: \$ **49.50**

b. ☐ Not a registered California process server

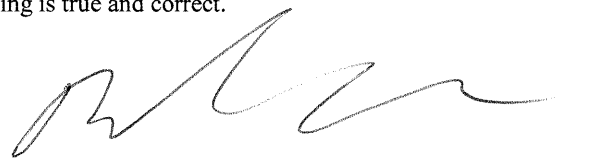
c. ☐ Exempt from registration under B&P 22350(b)

d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: **Dec 5 2007**

  
(Signature)



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*Counsel for Plaintiffs and the Class*

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

FRANKLYN AJAYE, MING-CHUN WU  
CHEN, TZU-CHIAO CHEN, RAYNA  
RUSENKO, TITI TRAN, BORIS  
ZINGERMAN, and GALINA  
ZINGERMAN, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

vs.

AIR NEW ZEALAND, LTD., ALL  
NIPPON AIRWAYS CO., LTD., CHINA  
AIRLINES, LTD., EVA AIRWAYS  
CORPORATION, JAPAN AIRLINES  
CORPORATION, NORTHWEST  
AIRLINES CORPORATION, QANTAS  
AIRWAYS, LTD., SINGAPORE  
AIRLINES, LTD., and THAI AIRWAYS  
INTERNATIONAL PUBLIC COMPANY,  
LTD.,

Defendants.

Case No. C07-5911 JSW

**PROOF OF SERVICE BY U.S. MAIL**

**PROOF OF SERVICE**

I am employed in the County of San Francisco, State of California. My business address is 44 Montgomery Street, Suite 1200, San Francisco, California 94104. I am over the age of eighteen years and am not a party to the within action;

On December 10, 2007, I served the following documents:

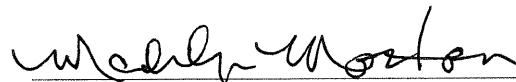
1. **CLASS ACTION COMPLAINT FOR DAMAGES**
2. **SUMMONS IN A CIVIL CASE**
3. **ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES**
5. **CIVIL STANDING ORDER**
6. **CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**
7. **ECF REGISTRATION INFORMATION HANDOUT**
8. **PROOF OF SERVICE OF SUMMONS AND COMPLAINT**
9. **PROOF OF SERVICE OF SUMMONS BY U.S. MAIL**

X **BY MAIL:** I am readily familiar with this firm's practice for collection and process of correspondence for mailing. Following that practice, I deposited a true and correct copy of each document listed above, in a in a sealed and addressed envelope, postage prepaid, with the United States Postal Service on the same day in the ordinary course of business on the following addressee:

Walter Rinaldo Mariani  
Registered Agent for Qantas Airways Limited  
6080 Center Drive, Suite 400  
Los Angeles, CA 90045

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 10, 2007, at San Francisco, California.

  
\_\_\_\_\_  
Madelyn Morton